



COLORADO

**Division of Reclamation,
Mining and Safety**

Department of Natural Resources

1313 Sherman Street, Room 215
Denver, CO 80203

March 9, 2015

Louis Head
New Elk Coal Company, LLC
12250 Highway 12
Weston, CO 81091

Re: New Elk Mine (Permit No. C-1981-012)
Proposed Decision - Technical Revision No. 70 (TR-70)
This Revision will amend TR66 for the design of the RDA haul road.

Dear Mr. Head:

Enclosed you will find the Division of Reclamation, Mining and Safety's Proposed Decision for Technical Revision No. 70 at the New Elk Mine. Notice of the proposed decision will be published in the *The Chronicle - News* as soon as possible. The first publication will initiate the ten (10) day public comment period for the Division's decision.

Please refer to the Performance Bond heading on the enclosed proposed decision form. If the amount of Bond Held equals or exceeds the Revised Liability, you need not submit additional bond. However, if the Revised Liability exceeds the Bond Held, please submit additional bond or rider to your existing bond that equals or exceeds the Revised Liability. This Technical Revision must not be implemented until this proposed decision becomes final and until any required increase in bond is submitted to and approved by the Division.

If there are stipulations attached, please sign and return the proposed decision form to the Division.

If you have any questions, please contact me.



Sincerely,

A handwritten signature in blue ink, appearing to read "L. Simmons".

Leigh D. Simmons
Environmental Protection Specialist
Leigh.Simmons@state.co.us

Enclosure

cc: Ron Thompson, New Elk Coal Company, LLC

C-TR-08



COAL MINING PERMIT - TECHNICAL REVISION DECISION

New Elk Mine, New Elk Coal Company, LLC

Permit No. C-1981-012

The Division of Reclamation, Mining and Safety has proposed the decision stated below. Provided there are no objections, the decision will become effective upon the termination of the ten (10) day public comment period, in accordance with Rule 2.08.4(6)(b)(iii).

Technical Revision No. 70

Decision: Approve

Submittal Date: May 27, 2014

Decision Date: March 9, 2015

Description of Revision: This Revision will amend TR66 for the design of the RDA haul road.

DIVISION OF RECLAMATION, MINING AND SAFETY PERMITTEE

Michael P. Boulay

Authorized Representative - Division

Authorized Representative - Permittee (if applicable)

Date: March 9, 2015

Date:

CHANGE IN ACREAGE	REVISED TOTAL ACREAGE	PERFORMANCE BOND
Disturbed: 0.00	Disturbed: 222.60	Prior Liability: \$4,122,799.98
Affected: 0.00	Affected: 2,899.21	Change in Liability: \$0.00
Permit: 0.00	Permit: 4,198.90	Revised Liability: \$4,122,799.98
State: 0.00	State: 3,288.40	Bond Held: \$4,133,137.02
Federal: 0.00	Federal: 0.00	
Private: 0.00	Private: 910.50	
County: 0.00	County: 0.00	

REVISED APPLICATION PAGES

Section 2.05, page 11-73; replace with Section 2.05 page 11-74
Exhibit 19(25)
Exhibit 32, add Haul Road Certification Statement

DELETED APPLICATION PAGES

REVISED MAPS

Map 11 Sheet 1 (4/30/2014)
Map 11 Sheet 3 (8/20/2014)
Map 11 Sheet 4 (8/19/2014) - this is a new map
Map 13 (12/2/2014)

DELETED MAPS

NA

NA